Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 12 Noon on Thursday the 13th March 1919/30th Kumbham 1094.

Present.

DEWAN BAHADUR M. KRISHNAN NAIR ESQ., B. A. & B. L.,
DEWAN.....*Presiding.*

V. Subba Aiyar Esq., B. A. & B. L.
N. Subrahmanya Aiyar Esq., M. A.
R. Mahadeva Aiyar Esq., B. A.
Rao Bahadur K. V. Rengaswami Aiyangar Esq., M. A.
N. Raman Pillai Esq., B. A.
John Kuriyan Esq., B. A., B. C. E.
I. C. Chacko Esq., B. A., B. Sc.
N. Rajaram Rao Esq., B. A.
Paul Daniel Esq., M. A. & L. T.
A. Govinda Menon Esq., B. A.
M. Subrahmanya Pillai Esq.
K. A. Krishna Aiyangar Esq., B. A & B. L.
R. Gopala Pillai Esq., B. A. & B. L.
John Mackie Esq.
C. Raman Tampi Esq., B. A. & B. L.

K. Narayanan Pandalai Esq., B. A. & B. L.....*Secretary.*

The Secretary reported that Mr. C. Raman Tampi, B. A. & B. L., who had been appointed official Member of the Council, took his seat in Council that day.

The Secretary also reported that the Motor Vehicles Regulation Amendment Bill, finally passed by the Council on the 13th December 1918, received the assent of His Highness the Maha Raja on the 9th March 1919 and became law as Regulation VI of 1094.

THE PUBLIC CANALS AND FERRIES REGULATION AMENDMENT BILL.

Mr. Subba Aiyar, in moving for permission to introduce a Bill to amend the Public Canals and Ferries Regulation, I of 1084, said :—

"Sir,

The Public Canals and Ferries Regulation was passed only in 1084, but it has been brought to the notice of the Government that certain difficulties have been felt in the working of some of its provisions. As the Regulation stands, every vessel that plies for hire is required to be registered irrespective of its size, while vessels not plying for hire, whatever be their size, need no registration. The proposed amending Bill is drafted to bring the law into conformity with the Madras Act and thus to require that all vessels whether plying for hire or not should be licensed or registered, Government being empowered, however, to exempt any vessel or class of vessels from license or registration, as the case may be. Section 4 of the Regulation has been modified on the above lines. Advantage is also taken to introduce some provisions in the proposed Bill to regulate and control more efficiently and strictly the Steam and Motor vessels that ply in the State. The object of these provisions is that every Steam or Motor vessel that plies for hire should have a certificate of inspection before it proceeds on a voyage, and that every master, *syrang* or driver should possess a certificate of competency or of service for the proper discharge of his duties under the Regulation. These provisions cover forty or fifty Sections. It is therefore thought necessary to redraft the whole Regulation with a view to embody them in the Bill. These provisions are adopted from the Inland Steam Vessels Act which was passed in 1917 by the Government of India. It is hoped that, with the aid of these provisions, Government will be in a position to exercise an effective control and supervision over the Steam and Motor Vessels which form the chief means of conveyance through a greater part of the line of navigation between Trivandrum and Parur. I therefore beg to move for permission to introduce the Bill at the next meeting of the Council."

Seconded by Mr. Mahadeva Aiyar.

Carried.

THE CIVIL PROCEDURE CODE AMENDMENT BILL.

Mr. Subba Aiyar then moved for permission to introduce a Bill to amend the Code of Civil Procedure, and said :—

"The present Regulation is now thirty years old. Act XIV of 1882, on the lines of which the Regulation was passed, has been repealed, and Act V of 1908 has been passed in British India, following the English rules of practice. It is proposed to amend the existing Code on the lines of the above Act and to introduce a new Bill. The main features of the Bill will be that it will consist of two parts, viz., the first part containing the Sections forming substantive portion and the second part, regulating the details of procedure. The substantive

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portion can be modified or repealed only by the Legislative Council, while the other may be amended or repealed by a Rule Committee consisting of some of the Judges of the High Court and the leading practitioners. It is considered better and more desirable that such modifications as may be found necessary in the Orders and Rules should be done by a committee of experts who have experience in Courts and who are quite competent to judge of them. With this object, the provision for a Rule Committee has been introduced in the Bill. The new Bill, which has been drafted on the above lines, will be introduced into the Council very soon. With these words, I beg permission to introduce the Bill."

Seconded by Mr. Krishna Aiyangar.

Carried.

THE LOCAL BOARDS BILL.

Mr. Subba Aiyar also moved for permission to introduce the Local Boards Bill and spoke as follows:—

"The need for the constitution of Local Boards has been brought to the notice of Government by the Members of the Sri Mulam Popular Assembly at its successive sessions. The object of the Bill is that, so far as the needs of a locality in respect of primary education, communication, etc., are concerned, they should be attended to by the Boards constituted in the locality itself, consisting of officials and non-officials. For this purpose, it is proposed to constitute District Boards, Taluk Boards and Village Panchayats. These Boards will have their respective duties and responsibilities and will have to administer the fund at their disposal. The Bill itself would be published in the Gazette, and I think that it would be better to refer to the principle of the Bill later on. I therefore beg to move for permission to introduce the Bill."

Seconded by Mr. Rangaswami Aiyangar.

Carried.

THE PREVENTION OF JUVENILE SMOKING BILL.

Mr. Subba Aiyar, in introducing the Prevention of Juveniie Smoking Bill said:—

"At the eleventh and fourteenth sessions of the Assembly, it was brought to the notice of Government that smoking had become a vice in most of the juveniles attending educational institutions and that it was high time for the Government to take the necessary steps to prevent smoking. In England, we know that, as a matter of fact, there is the Children's Act applicable to juveniles under a certain age. The same law is in force in Ceylon, and I believe that in some of the Provinces in British India, they are introducing a law of this kind. In Mysore, a Regulation was passed in 1911 to prevent the juveniles from smoking or using tobacco in any form. We do not find any prohibition in the English Act about the use of tobacco in other forms for the reason that chewing tobacco is not prevalent there. Medical opinion seems to be that smoking among juveniles is productive of very serious diseases in after-life, such as, dyspepsia, severe disorders of the stomach, functional diseases, diseases of the heart and even blindness. These diseases develop in the young by the use of smoking or using tobacco in any form. Seeing that chewing is prevalent in this country the use of tobacco in any form is prohibited in the Bill.

The main provisions of the Bill are that no person shall sell to a person under the age of eighteen tobacco as defined in the Bill, and that, if any person under the age of eighteen uses it in any public street or public place, the Police have got the power to seize it. The Police officer may also arrest the person and, after ascertaining the name and address of the parent or guardian as also the school he is attending, if he is a pupil, he has to release him and report the fact to the parent or guardian or headmaster of the school as the case may be. If, after such release, the juvenile is found to repeat the practice, he is arrested and released on the undertaking of his parent or guardian or some other respectable person to produce the juvenile before the Magistrate. The Magistrate may discharge the offender with a warning or inflict on him a fine not exceeding one rupee or order him to receive a few stripes by way of school discipline. The object of these provisions is, as far as possible, to prevent the juveniles from smoking or using tobacco in any form. I therefore beg to move that the principle of the Bill be affirmed."

Seconded by Mr. Rangaswami Aiyangar.

Mr. Krishna Aiyangar:—

"Sir,

I welcome the proposal to legislate for the prevention of juvenile smoking. It is certainly not an indigenous habit of any long standing so far as Travancore is concerned. I remember that, forty years ago, it was an extremely rare sight to see young boys smoking. Now, we can see, in all the public places, students poisoning the atmosphere by smoking. The medical aspect of this question has been dealt with at length by the learned Mover, and a lay man like myself cannot add anything to the scientific opinion in the matter. It is certainly desirable that the habit of smoking among the juveniles should be discouraged. The Bill does not propose to put down juvenile smoking throughout the country, and for the matter of that it does not propose to put down the offence wherever it is committed. It is only when the

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